

REMARKS

Reconsideration of the present application as amended is respectfully requested. Claims 1-15 have been canceled. New claims 16-27 have been added. Claims 16-27 are currently pending.

Claims 5-10 stand objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from another multiple dependent claim. Claims 5-10 have been canceled, rendering the objections to claims 5-10 moot.

Claims 1-4 and 11-15 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In regards to claims 1, 12, and 15, the Office Action indicates that “Applicant’s use of parenthetical text is confusing and unnecessary.” In regard to claims 1 and 14, the Office Action indicates that “Applicant does not utilize proper Markush language to identify the various elements to be chosen from.” In regard to claims 1, 11, and 15, the Office Action indicates that “it is also unnecessary to specify ‘allows thereof with other metals’ because [there is] nothing about the earlier ‘alloys thereof’ that specifically limits the alloy to only materials from the preceding list (only that the alloy must contain one of the preceding elements).” In regard to claim 3, the Office Action indicates that the term “preferably” renders the claim indefinite. In regard to claims 4 and 15, the Office Action indicates that “it is unclear which electrodes Applicant is referring to.” In regard to claim 11, the Office Action indicates that the claim is confusing because “it states that the use of ‘one or more transition metals or au’”, and that “Gold is a transition metal.” Also in regard to claim 11, the Office Action indicates that there is no antecedent basis for “said data matrix.” In regard to claim 12, the Office Action indicates that the claim is confusing because “Applicant never specified in claim 11 a condition where there are plural electrodes rendering the parenthetical text (discussed earlier) confusing.”

Applicant has amended the claims to overcome the 35 U.S.C. 112, second paragraph rejections in the Office Action. Applicant has canceled original claims 1-15, and added new claims 16-27 corresponding to the subject matter of the original claims 1-15. New independent claim 16 includes subject matter corresponding to that of original claims 11 and 14. New

dependent claims 17-23 include subject matter corresponding to that of original claims 12-13 and 2-6. New dependent claims 24 and 25 include subject matter corresponding to that of original claim 7. New dependent claims 26-27 include subject matter corresponding to that of original claims 8 and 9. Applicant respectfully submits that new claims 16-27 address all of the 35 U.S.C. 112, second paragraph, rejections raised with respect to original claims 1-4 and 11-15.

Claims 1-4 and 11-15 stand rejected under 35 U.S.C. 102(b) as being anticipated by XP-000861720 (“Monitoring of freshness of milk by an electronic tongue on the basis of voltammetry”, Meas. Sci. Technol. 9 (1998) pp. 1937-1946) by Winquist et al. (“Winquist”). The Office Action indicates that “with respect to the claims as best understood, Winquist discloses an electronic tongue based on voltammetry comprising a plurality of working electrodes and a counter electrode, where the working electrodes are made of materials including Rh (see section 3.2 of p. 1939).” The Office Action further indicates that “although the tongue is not specified for the detection of ozone, that is only the intended use of the apparatus, and the intended use need not be given further due consideration in determining patentability.”

New independent claim 16 includes subject matter corresponding to that of original claims 11 and 14, and includes the additional feature of “a processing unit (PC) for performing a multivariate analysis of said matrix, and predicting a concentration of ozone based on the results of said multivariate analysis.” Support for this feature of independent claim 16 can be found at at least page 7, line 16 to page 9, line 23 of the specification as originally filed. Applicant respectfully submits that Winquist fails to teach or suggest at least this feature of independent claim 16.

Winquist describes an electronic tongue for monitoring the freshness of milk on the basis of voltammetry. Winquist describes using the electronic tongue to follow the deterioration of milk due to microbial growth when milk is stored at room temperature. Winquist contains no teaching or suggestion of an ozone detection system including a processor for predicting a concentration of ozone based on the results of a multivariate analysis. Applicant respectfully submits that independent claim 16 distinguishes over Winquist.

Claims 17-27 are dependent upon and include the features of independent claim 16. For at least the reasons as discussed with respect to independent claims 16, Applicant respectfully submit that dependent claims 17-27 also distinguish over Winquist.

In view of the above, each of the presently-pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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